

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

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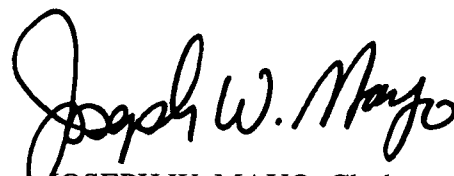
H.P. 404

House of Representatives, February 14, 1995

**An Act to Implement the Recommendations of the Unorganized
Territory Education and Services Fund Study Commission.**

Reported by Representative GOULD for the Unorganized Territory Education and Services Fund Study Commission pursuant to Private and Special Law 1993, chapter 100.

Reference to the Joint Standing Committee on Education and Cultural Affairs suggested and printing ordered under Joint Rule 20.


JOSEPH W. MAYO, Clerk

Be it enacted by the People of the State of Maine as follows:

2
4 **Sec. 1. 12 MRSA §685-E**, as enacted by PL 1991, c. 591, Pt. LL, §1, is repealed.

6 **Sec. 2. 20-A MRSA §3351, sub-§1**, as amended by PL 1985, c. 490, §14, is further amended to read:

8
10 **1. Appropriation by the Legislature.** The Legislature shall appropriate money to the Unorganized Territory School and Capital Working Funds. It is the intent of the Legislature that any program that provides funding for education purposes to organized school units that otherwise are not eligible to receive funding through the formula established in chapter 606 shall provide funding on the same basis to the unorganized territory.

16 **Sec. 3. 20-A MRSA §15613, sub-§13**, as enacted by PL 1987, c. 848, §10, is amended to read:

20 **13. Minimum state allocation.** Effective 1988-89, each school administrative unit ~~shall be~~ is guaranteed a minimum state share of its total allocation that is determined by multiplying 5% of the foundation per pupil operating rate by the average number of resident kindergarten to grade 12 pupils, including special education tuition pupils, in the unit on April 1st and October 1st of the calendar year immediately prior to the year of allocation. These funds shall must be included as part of the school unit's total allocation as computed under this chapter and not as an adjustment to the unit's total allocation.

30
32 Effective in the fiscal year beginning July 1, 1996, the unorganized territory is guaranteed the same minimum 5% state subsidy as is guaranteed for school administrative units under this subsection. Amounts provided to the unorganized territory under this subsection may not be treated as general purpose subsidy for school administrative units and may not be part of the total allocation. The commissioner shall annually, prior to February 1st, notify the fiscal administrator of the unorganized territory of the amount to be provided to the unorganized territory under this subsection.

42 **Sec. 4. 30-A MRSA §7301**, as amended by PL 1989, c. 104, Pt. C. §§8 and 10, is further amended to read:

44 **§7301. Applicability to deorganization by Legislature**

46
48 This chapter applies to any municipalities or plantations that are or have been deorganized by Aet act of the Legislature. It is the intent of the Legislature that any program that provides funding to eligible organized municipalities, to be used for any purpose, shall provide funding on the same basis to the unorganized territory.

2 **Sec. 5. 36 MRSA §578, sub-§2**, as amended by PL 1981, c. 706,
§8, is further amended to read:

4
6 **2. Unorganized territory.** The State Tax Assessor shall
adjust the 100% valuation per acre for each type for each county
by such ratio or percentage as is then being used to determine
8 the state valuation applicable to other property in the
unorganized territory to obtain the assessed values. Commencing
10 April 1, 1973, forest land in the unorganized territory subject
to taxation under this subchapter shall ~~shall~~ must be taxed at the same
12 property tax rate as is applicable to other property in the
unorganized territory, ~~which~~ and that rate shall ~~shall~~ must be applied
14 to the assessed values so determined. Upon collection by the
State Tax Assessor, ~~such~~ those taxes shall ~~shall~~ must be deposited in
16 the Unorganized Territory Education and Services Fund in
accordance with section 1605.

18 For the purposes of this subsection, the unorganized territory
20 must be reimbursed pursuant to subsection 1 as if it were a
municipality.

22 **Sec. 6. 36 MRSA §1601**, as enacted by PL 1977, c. 698, §8, is
24 amended to read:

26 **§1601. Unorganized Territory Tax District**

28 The Legislature hereby creates a tax district to be known as
the Unorganized Territory Tax District. It ~~shall include~~ includes
30 all of the unorganized territory of the State and any areas ~~which~~
that may subsequently become a part thereof ~~of the unorganized~~
32 territory. It is the intent of the Legislature that any program
that provides funding to eligible organized municipalities to be
34 used to reduce property taxes shall provide funding on the same
basis to the unorganized territory.

36 **Sec. 7. 36 MRSA §1604, sub-§1**, as repealed and replaced by PL
38 1985, c. 459, Pt. C, §14, is amended to read:

40 **1. Recommendation to the Legislature.** The administrator of
the unorganized territory shall submit to the Legislature, by
42 March 1st, annually, a bill listing the requests of all counties
and agencies under this chapter. Requests for funding from the
44 Department of Education may not include the General Fund share of
teacher retirement costs for which the State is liable pursuant
46 to Title 5, section 17001.

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STATEMENT OF FACT

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This bill implements the recommendations of the Unorganized Territory Education and Services Fund Study Commission.